

Conway Planning Board

February 7, 2019

Minutes

Present: Beth Girshman, Bill Moebius, Joseph Strzegowski, Andy Jaffe, Mary McClintock (on phone)

Other attendees: Alexis Fedorjaczenko (Administrative Assistant); Robert Baker, Conway Fire Chief; Francis Parisi, Attorney; Tom Johnson (an engineer with Vertex Towers LLC)

Location: Conway Town Offices

Meeting called to order at 6:00 pm

Motion to open the hearing by Beth; second by Andy. Motion passes, 5-0-0.

1. Nexamp Solar Site Plan
 - a. Alexis provided an update on the Conservation Commission's status.
 - b. Public hearing date set for Feb 21 at 7 pm; discussion about the timing of the Con Com review with the Planning Board's work. If there are two hearings the Planning Board will recommend to the consultant which hearing they should come to. The hearing could also be recorded; Alexis will figure out how to record the audio of the meeting. The plan is to start the meeting at 6 pm.
 - c. Mary reminds the group that the Planning Board does not have any jurisdiction about logging or cutting of trees.
2. Nexamp Solar Peer Consultant Review
 - a. Tighe & Bond has been retained. On February 6th, Jean Christy, their storm water specialist, and Mike Scott of WDA went on a more extensive walk through with Joe.
3. Minutes from the previous meeting, January 17, 2019, were reviewed. Motion by Andy to approve the minutes as presented; seconded by Beth. Motion passes, 4-0-1 with Mary abstaining.

Motion to close the public comment section of the hearing by Beth; seconded by Andy. Motion passes, 5-0-0.

4. Public Hearing - Site Plan Review & Special Permit Regulations and Fee Schedule
 - a. Discussion. Motion by Andy to approve these documents as presented; seconded by Beth. Motion passes 5-0-0.

- b. Joe emailed town council about the need to hold a hearing for this. It was recommended by FRCOG but it seems like there should be a less costly way to accomplish this (e.g. the public notice is expensive).
- 5. Meeting with Robert Baker, Conway Fire Chief - Private Drive and Home identification issues
 - a. The Planning Board discussed putting out a letter to all town residents asking for feedback on whether people would put special numbers up. There was discussion about just sending out the numbers to everyone and asking that they be put up; firemen could assist with this in the summer.
 - b. The Planning Board has a draft of an article for The Visitor. Mary read the article out loud and a couple of revisions were made. It can also be posted on the town website.
 - c. The home identification numbers could also be available at the transfer station.
- 6. Informal discussion with Francis Parisi and Tom Johnson - Cell tower proposal
 - a. Francis Parisi introduced the project proposed for 1384 S. Deerfield Road and the company Vertex Towers, LLC. They are not a telecommunications company and don't provide service; rather, the carriers who have gotten out of the "real estate" business now partner with companies like Vertex for facilities that support multiple carriers. Attorney Parisi posed several questions:
 - i. The word "carriers" is in the bylaw and Attorney Parisi asks how this should be interpreted. Mary suggests that they send in an application and provide an explanation just as given to the Planning Board.
 - ii. There is a small wetlands encroachment which means it also needs to go before the Conservation Commission. What order should the applicant go in? Mary's recollection of last time there was an application for a freestanding tower was that the Conservation Commission was the last part of the process.
 - iii. The proposal is 150 feet tall, which exceeds the height restrictions in the bylaws. The question is, can the height restrictions be waived by the PB or does the applicant have to go for a variance? And if they have to go before the ZBA, the same question as with the Conservation Commission - which first? Attorney Parisi suggested that some towns have joint meetings. He will apply to the Planning Board to start the process. Vertex Towers anticipates submitting an application by the end of February.
 - b. Discussion about the visibility (balloon) test - pick a Saturday (more opportunity for people to see it) and the applicant will advertise as well as mailing notice to the abutters. Mary suggested The Visitor would be a good place to publicize. The applicants will take pictures from anywhere the Planning Board requests.

- c. Joe said there were often health concerns related to cell towers, and asked if there were any changes in technology. The applicants said those concerns have subsided.
 - d. Joe plans to get input for Town Counsel on several of the questions above and will talk to the other boards about joint scheduling.
 - e. The Planning Board discussed other properties that would be appropriate to include for the balloon test photos.
- 7. Adult use marijuana - outreach meeting review 2/6/19 Philip Bowden
 - a. Bill provided a summary of the meeting.
 - b. Their next step is to finalize the host agreement and to file the application.
- 8. Protective Zoning Bylaws - updated to September 24, 2018, added adult use marijuana
- 9. Update on FEMA Deerfield River Watershed meeting - a repeat from the last meeting
- 10. Short term rental - new state law - no discussion
- 11. Planning projects discussion for FY 2019, items below - no discussion
- 12. Commercial signage (Greenfield Bank) - no discussion
- 13. Zoning use table revision - no discussion
- 14. 2013 Master Plan Review & Update - no discussion
- 15. Small scale solar bylaw - no discussion
- 16. South River Erosion Zoning - no discussion
- 17. Mail/email
 - a. Email from Harry Culver inquiring about a medical marijuana facility was discussed briefly. The response was that the zoning bylaw is not for medical cultivation and the licensing process for RMD's was sent to him.
- 18. Old Business (none)
- 19. New Business
 - a. Joe asks if the PB should work on getting an alternate, or whether someone should make contact with Sue McFarland to find out her availability, especially considering Andy's schedule and because a supermajority is needed for special permits. An associate member can be brought in to make a quorum and they become a voting member of the board for that special permit. Andy will contact Sue and Joe will contact Dave Barton.
 - b. Discussion about whether the PB needs to hire a consultant for the wireless proposal and specifically about the "cover the whole town" provision.

20. Next scheduled meetings:

- a. February 21, 2019 (public hearing for Nexamp proposal)
- b. March 7 & 21
- c. April 4 & 18

Motion by Andy to adjourn; seconded by Beth. Motion passes 5-0-0.

Adjourned at 8:35

Respectfully submitted,
Alexis Fedorjaczenko